

JULIO SANCHEZ, ESQ.
425 Elmora Avenue
Elizabeth, N.J. 07208
Telephone No.: 908-355-0666
Attorney for Debtor

In the Matter of:

MARCIA J. CABEZAS

Debtor,

UNITES STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
NEWARK VICINAGE
Chapter 13
Hearing Date: 2/26/2020
Case No.: 14-20160-SLM
Judge: Stacey L. Meisel

NOTICE OF MOTION

To:

Clerk,
MLK Federal Building
50 Walnut Street
Newark, New Jersey 07102

Electronically sent

30 Two Bridges Road, Suite 330
Fairfield, NJ 07004

**Electronically served and
Certified and Regular Mail**

Gentlemen:

PLEASE TAKE NOTICE that on February 26, 2020, at 10:00 a.m. as soon as thereafter as counsel may be heard, the undersigned attorney for the debtor Marcia J. Cabezas, the moving party herein, shall move before the Honorable Stacy L. Meisel, in the United States Bankruptcy Court, located at Martin Luther King Federal Building, Court Room 3A, 50 Walnut Street in the City of Newark, New Jersey 07102 for an Order to Reopen her Chapter 13 Case to File a Certification about a Financial Management Course.

TAKE FURTHER NOTICE that as the basis for relief for the Automatic Stay requested herein the debtor shall rely on the Certification of the Debtor Marcia J. Cabezas.

I further certify that the issues submitted in this Motion do not present complicated facts or unique questions of law. A brief is not required.

Take further notice that oral argument is hereby not requested.

January 29, 2020

/s/ Julio Sanchez, Esq.
JULIO SANCHEZ, ESQ
Attorney for Debtor,
MARCIA J. CABEZAS,

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CERTIFICATION BY DEBTOR

TO: Clerk, Bankruptcy Court
MLK Jr. Federal building
50 Walnut Street
Newark, N.J. 07102

Marcia J. Cabezas, the Debtor in the above matter, certifies as follows:

1. I am herewith submitting the within Certification in Support of my Motion to Reopen Case to file a Certification About a Financial Management Course, to wit, my Certificate of Debtor Education.

2. My Chapter 13 Bankruptcy Petition was filed on May 19, 2014.

3. My case was closed without a discharge on September 22, 2019.

4. My case was closed for reason that the Certification of Financial Management had not been filed.

5. The reason why my Certificate of Education was not timely filed is that my previous attorney, Michael Schwartzberg, Esq had filed a Motion to be relieved as counsel and was terminated on June 19, 2019. I had no contact with him after that date.

6. Because of a language barrier, I had used Richard Cabezas, my nephew, as my intermediary with Mr. Schwartzberg. Neither Mr. Schwartzberg nor Richard Cabezas, my nephew, made me aware that the final step to complete the process after Mr. Schwartzberg was relieved as counsel remained unsatisfied.

7. I obtained my Certificate of Education on December 19, 2019 and I attempted to file it personally, but was advised by the Clerk of the Court that a motion to reopen was required.

8. I have hired my new attorney, Julio Sanchez, Esq to file this motion and request the Court to allow the re-opening of this matter for the sole purpose of filing my Certificate of Education and obtain my Discharge. This is Chapter 13 case in which the estate has been fully administered by the Trustee.

9. I am also enclosing herewith my Certification in Support of Discharge certifying that all domestic support obligations have been paid.

9. All the statements herein are true to the best of my knowledge. I know that if I have willfully lied, I may be subject to punishment.



MARCIA J. CABEZAS

Dated: January 29, 2020

Certificate Number: 01401-NJ-DE-033867191

Bankruptcy Case Number: 14-20160



01401-NJ-DE-033867191

CERTIFICATE OF DEBTOR EDUCATION

I CERTIFY that on December 24, 2019, at 6:46 o'clock PM EST, Marcia Cabezas completed a course on personal financial management given by internet by GreenPath, Inc., a provider approved pursuant to 11 U.S.C. 111 to provide an instructional course concerning personal financial management in the District of New Jersey.

Date: December 24, 2019 By: /s/Jeremy Lark

Name: Jeremy Lark

Title: FCC Manager

UNITED STATES BANKRUPTCY COURT

District Of _____

In re Marcia J. Cabezas
Debtor

Case No. 14-20160

**CHAPTER 13 DEBTOR'S CERTIFICATIONS REGARDING
DOMESTIC SUPPORT OBLIGATIONS AND SECTION 522(q)**

Part I. Certification Regarding Domestic Support Obligations (check no more than one)

Pursuant to 11 U.S.C. Section 1328(a), I certify that:

☒ I owed no domestic support obligation when I filed my bankruptcy petition, and I have not been required to pay any such obligation since then.

☐ I am or have been required to pay a domestic support obligation. I have paid all such amounts that my chapter 13 plan required me to pay. I have also paid all such amounts that became due between the filing of my bankruptcy petition and today.

Part II. If you checked the second box, you must provide the information below.

My current address: _____

My current employer and my employer's address: _____

Part III. Certification Regarding Section 522(q) (check no more than one)

Pursuant to 11 U.S.C. Section 1328(h), I certify that:

☒ I have not claimed an exemption pursuant to § 522(b)(3) and state or local law (1) in property that I or a dependent of mine uses as a residence, claims as a homestead, or acquired as a burial plot, as specified in § 522(p)(1), and (2) that exceeds \$155,675* in value in the aggregate.

☐ I have claimed an exemption in property pursuant to § 522(b)(3) and state or local law (1) that I or a dependent of mine uses as a residence, claims as a homestead, or acquired as a burial plot, as specified in § 522(p)(1), and (2) that exceeds \$155,675* in value in the aggregate.

Part IV. Debtor's Signature

I certify under penalty of perjury that the information provided in these certifications is true and correct to the best of my knowledge and belief.

Executed on 1/29/2020
Date

Marcia Cabezas
Debtor

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

***JULIO SANCHEZ ESQ.
425 ELMORA AVENUE
ELIZABETH NJ 07208***

In Re:

MARCIA J CABEZAS

Case No.: 14-20160-SLM

Chapter: 13

Hearing Date: 2/26/20

Judge: STACEY L. MEISEL

STATEMENT AS TO WHY NO BRIEF IS NECESSARY

In accordance with D.N.J. LBR 9013-1(a)(3), it is respectfully submitted that no brief is necessary in the Court's consideration of this motion, as it does not involve complex issues of law.

Date: 1/30/2020

Attorney for the Debtor's Signature


**JULIO SANCHEZ, ESQ.
ATTORNEY AT LAW OF NEW JERSEY**

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY.
Caption in Compliance with D.N.J. LBR 9004-1(b)

JULIO SANCHEZ, ESQ.
425 ELMORA AVENUE
ELIZABETH NJ 07208

In Re:
MARCIA J CABEZAS

Case No.: 14-20160-SLM
Chapter: 13
Hearing Date: 2/26/2020
Judge: Stacey L. Meisel

CERTIFICATION OF SERVICE

1. I, JULIO SANCHEZ, ESQ., am the attorney in this case.
2. On, January 29, 2020, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below.

☒ Notice of Motion to Reopen Case to File a Certification About a Financial Management Course.

☒ Certification in Support of Motion to Reopen Case to File a Certification About a Financial Management Course.

☒ Statement as to Why no Brief is Necessary

☒ Proposed Order Granting Motion to Reopen Case to File a Certification About a Financial Management Course.

☐ Other _____
[Specify the additional document(s) served]

3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated below.

Date: January 29, 2020

Signature: _____

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
MARIE-ANN GREENBERG 30 TWO BRIDGES ROAD SUITE 330 FAIRFIELD NJ 07004	TRUSTEE	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input checked="" type="checkbox"/> Certified mail/Return receipt requested <input checked="" type="checkbox"/> Other <u>E-MAIL</u> (As authorized by the Court or rule. Cite the rule if applicable.)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input type="checkbox"/> Other _____ (As authorized by the Court or rule. Cite the rule if applicable.)
[Enter the name and address of the party you served]	[Enter the party's relationship to the case]	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/Return receipt requested <input type="checkbox"/> Other _____ (As authorized by the Court or rule. Cite the rule if applicable.)